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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/570,053

02/28/2006

Raphaël Visoz

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27799

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01/21/2009

COHEN, PONTANI, LIEBERMAN & PAVANE LLP
551 FIFTH AVENUE
SUITE 1210
NEW YORK, NY 10176

EXAMINER

AHN, SUNG S

ART UNIT

PAPER NUMBER

2611

MAIL DATE

DELIVERY MODE

01/21/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/570,053	Applicant(s) VISOZ ET AL.	
	Examiner SUNG AHN	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 August 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings (fig. 2, 3, and 4) are objected to because the unlabeled rectangular box(es) shown in the drawings should be provided with descriptive text labels.

Diagrammatic blocks are required to be labeled to indicate contents or function. See 37 CFR 1.83 (a), 1.84 (g). Correction is required.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claims 2-9 and 11-15 are objected to because of the following informalities:
typographical errors. The term "A" in claims 2-9 and 11-15 should be corrected to --The--
-, respectively. In addition, the same typographical errors and other misspellings should
be corrected in the specification. Appropriate correction is required.
3. Claim 9 is objected to because of the following informalities: The acronym for
first "ST-BICM" needs to be spelled out when it is used first time in each independent or
subsequent dependent claim. Also claim 9 should be dependent on claim 8, not claim
7. Appropriate correction is required
4. Claim 10 is objected to because of the following informalities: The acronym for
first "SIC" and "PIC" need to be spelled out when it is used first time in each
independent or subsequent dependent claim. Appropriate correction is required

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.
6. Claims 2-4, 10, and 12-15 rejected under 35 U.S.C. 112, second paragraph, as
being indefinite for failing to particularly point out and distinctly claim the subject matter
which applicant regards as the invention.
7. Claim 2 recites the limitation "the equalizer" in line 2. There is insufficient
antecedent basis for this limitation in the claim.

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8. Claim 3 recites the limitation "the equalizer" in line 2. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 4 recites the limitation "the equalizer" in line 3. There is insufficient antecedent basis for this limitation in the claim.

10. Claim 10 recites the limitation "said device" in line 3. There is insufficient antecedent basis for this limitation in the claim.

11. Claim 10 recites the limitation "the subtracted data" in line 7. There is insufficient antecedent basis for this limitation in the claim.

12. Claim 10 recites the limitation "the subtractor" in line 13. There is insufficient antecedent basis for this limitation in the claim.

13. Claim 12 recites the limitation "the subtracted data" in line 2. There is insufficient antecedent basis for this limitation in the claim.

14. In claims 12-13, applicant has claimed both an apparatus and the process of using the apparatus and it is indefinite (See MPEP 2173.05(P)). Claims 12-13 recites "method comprising" whereas the parent claim 9 recites "the apparatus" which directed to structural limitation. Therefore, it is unclear how a "characterized method" constitutes in an "iterative decoder and equalizer".

15. Claim 13 recites the limitation "the decision algorithm" in line 2. There is insufficient antecedent basis for this limitation in the claim.

16. Claim 14 recites the limitation "the subtracted data" in line 2. There is insufficient antecedent basis for this limitation in the claim.

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17. Claim 14 recites the limitation "the decision algorithm" in line 3. There is insufficient antecedent basis for this limitation in the claim.

18. In claims 10-15, it is not clear what method steps applicant is claiming. Method claims should be represented by clear active steps that specify the steps to performing the method. They should not state results of the steps but rather the active steps to achieving the results.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUNG AHN whose telephone number is (571)270-3706. The examiner can normally be reached on Monday-Friday, 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Vanderpuye can be reached on (571)272-3078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 4154

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SUNG AHN/
Examiner
AU 2611
(571)-270-3706
sung.ahn@uspto.gov

/Kenneth N Vanderpuye/
Supervisory Patent Examiner, Art Unit 2613